



U.S. Department
of Transportation

**Research and
Special Programs
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

MAY 14 1998

Mr. Martin Lavery
Containers and Pressure
Vessels Limited
Clones Co. Managhan
IRELAND

Dear Mr. Lavery:

This is in response to your letter asking whether "Hexachlorocyclopentadiene," a material poisonous by inhalation, may be shipped in an IM 101 portable tank that complies with special provisions T38, T43, and T45, from Europe to the United States by vessel in accordance with the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

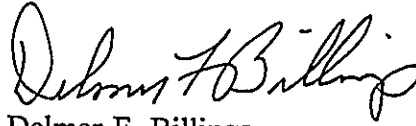
The answer is yes. When a hazardous material, subject to the requirements of the IMDG Code, is a material "poisonous by inhalation," it must be packaged in accordance with the requirements of the HMR (see 49 CFR 171.12(b)(8)). As prescribed in special provisions "T43" and "T45," "Hexachlorocyclopentadiene, 6.1, UN 2646, I" may be shipped from Europe to the United States by vessel in an IM 101 portable tank, as prescribed in the "IM Tank Configurations Table" in 49 CFR 172.102 (c)(7)(i).

Under the HMR, with certain exceptions, if all or part of the transportation is by vessel, a hazardous material which is classed, packaged, marked, labeled, placarded and described in accordance with the requirements of the International Maritime Dangerous Goods Code (IMDG Code) may be offered and accepted and transported in the United States (see 49 CFR 171.12(b)). Section 13 of the General Introduction of the IMDG Code authorizes a Type 1 portable tank for Hexachlorocyclopentadiene. However, that tank may not be used within the United States since 49 CFR 171.12(b)(5) states "Except for packagings conforming to the requirements of Section 26 (Intermediate Bulk Containers) of the IMDG Code, bulk packagings must conform to the requirements of the HMR." As a practical consideration, an IM 101 portable tank may also have to be dual marked as an IMO Type 1 portable tank in order to satisfy other competent authorities or the vessel carrier.

For your information, a DOT Specification 51 portable tank is also authorized for transportation of Hexachlorocyclopentadiene by the HMR. As with the IM 101 tank, a DOT Specification 51 portable tank may also need to be dual marked in order to satisfy requirements of other authorities.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delmer F. Billings".

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards



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Dear Mr. Lavery:

This is in response to your letter asking whether "Hexachlorocyclopentadiene" can be shipped in an IM 101 portable tank that complies with special provisions T38, T43, and T45, from Europe to the United States by vessel in accordance with the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The answer is yes. When a hazardous material, subject to the requirements of the IMDG Code, is a material "poisonous by inhalation," it must be packaged in accordance with the requirements of the HMR (see 49 CFR 171.12(b)(8)). As prescribed in special provisions "T43" and "T45," "Hexachlorocyclopentadiene, 6.1, UN 2646, I" may be shipped from Europe to the United States by vessel in an IM 101 portable tank, as prescribed in the "IM Tank Configurations Table" in 49 CFR 172.102 (c)(7)(i).

Under the HMR, with certain exceptions, if all or part of the transportation is by vessel, a hazardous material which is classed, packaged, marked, labeled, placarded and described in accordance with the requirements of the International Maritime Dangerous Goods Code (IMDG Code) may be offered and accepted and transported in the United States (see 49 CFR 171.12(b)). Section 13 of the General Introduction of the IMDG Code authorizes a Type 1 portable tank. Except for packagings conforming to the requirements of Section 26 (Intermediate Bulk Containers (IBCs)) of the IMDG Code, bulk packagings must conform to the requirements of the HMR (see 49 CFR 171.12(b)(5)).

For your information, a DOT Specification 51 portable tank is authorized only for domestic shipments in the United States, unless it is dual marked as specified in Section 26 of the IMDG Code.

I hope this information is helpful. If we can be of further assistance, please contact us.

Sincerely,

Delmer F. Billings
Chief, Standards Development
Office of Hazardous Materials Standards

**Containers and
Pressure Vessels Limited**Clones, Co. Monaghan, Ireland
Telephone + 353. 47. 51090
Fax + 353. 47. 51616
E-Mail: cpvtank@indigo.ie*Engram
File 172.102
SC:351*

Facsimile Transmission

To:	USDOT Regulations	From:	Martin Lavery
Attn:	Helen Ingram	Date:	25/11/97
Fax No.:	001-202-366-8700	No. of pages:	1

If any of this transmission is unclear please call us.

RE: 49 CFR Parts 106-180, Our Ref: E7510

Further to our telephone conversation can you please confirm portable tank container requirements for:-


Hexachlorocyclopentadiene UN 2646

We wish to transport this product in an IM Portable Tank from Europe to USA and want to make sure we are complying with all regulatory regulations

In table 172.101 column 7 shows T38, T43 and T45. Column 8C shows 244 which only shows DOT 51 Portable tanks. Can I use an IM 101 Portable Tank that complies to T38, T43 and T45.

Appreciate your attention on this matter.

Best regards,

P.P. 
Martin Lavery
Managing Director
Containers & Pressure Vessels Limited

U.S. Department
of Transportation

United States
Coast Guard



FACSIMILE TRANSMITTAL

Office of Operating and
Environmental Standards

Hazardous Materials Standards Division

Fax: (202) 267-4570

Tel: (202) 267-1217

TO:	<i>Helen Engsum</i>	FROM:	<i>E. P. Pfersich</i>
COMPANY:	<i>DHM-11</i>	DATE:	<i>4/27/98</i>
FAX NUMBER:	<i>63753</i>	TOTAL NO. OF PAGES INCLUDING COVER:	<i>2</i>
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	<i>Martin Lavery letter</i>	YOUR REFERENCE NUMBER:	
NOTES/COMMENTS:			

Helen - Sorry for taking so long to get back to you on this. Attached are my suggestions. I scanned your draft into a document and then edited it. Underlined text is added text, deleted text is lined through. Hope it helps, Call if you have questions.

Manny

COVER LETTER

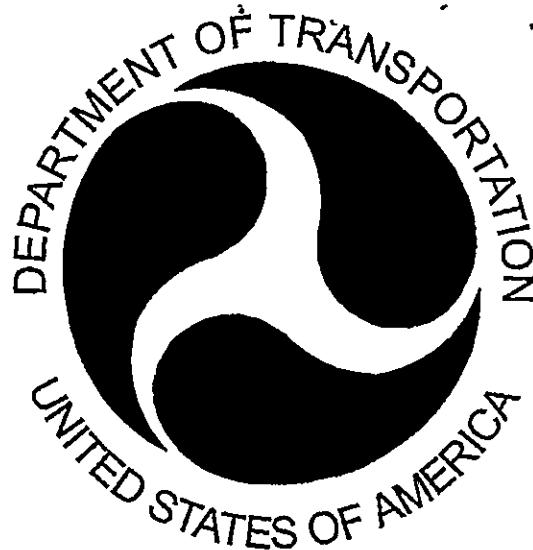
DATE 04/27 14:49

TO: 202 366 3753

FROM:

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TOTAL PAGES 003 (INCLUDE THIS PAGE)



RETURN FAX NUMBER (202) 366-3012

NUMBER OF PAGES (INCLUDING COVER) 2

DATE 3/18/98 TIME 6:45

ADDRESSEE Manny Pfersick

FAX NUMBER 74570 INITIATOR Nelen Engrum

PHONE 64473 PHONE 1-800-467-4922

MESSAGE Sending as requested since
first letter did not get to you

YOU ARE RECEIVING A TELEFAX
FROM

THE HAZARDOUS MATERIALS INFORMATION CENTER
OFFICE OF HAZARDOUS MATERIALS STANDARDS

FOR INFORMATION ON HAZARDOUS MATERIALS TRANSPORTATION
PLEASE VISIT OUR WEBSITE

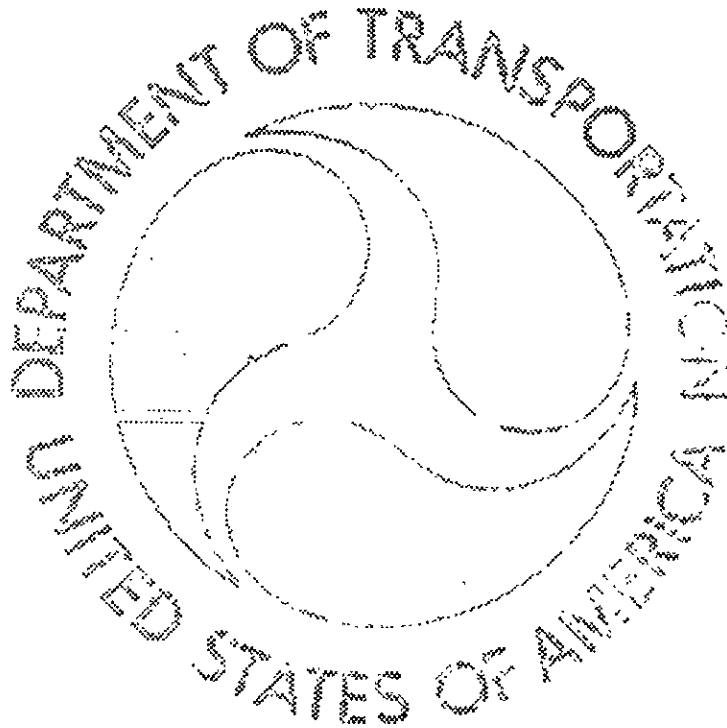
AT

<http://hazmat.dot.gov>

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OHMS

Office of Hazardous Materials Standards



Return FAX Number (202) 366-3753

Number of Pages (Including Cover) 3

Date 3-4-98 Time 10:30

Addressee Manny Pserseck

FAX Number 267 1577

Phone 74570

Initiator Helen Engman

Phone 1-800-467-4922 202 366 4473

Message

need concurrence - thanks